

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

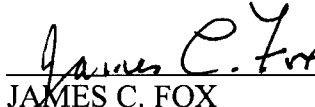
No. 5:07-CV-92-F

|                      |   |       |
|----------------------|---|-------|
| PAUL YONGO,          | ) |       |
| Plaintiff,           | ) |       |
|                      | ) |       |
| v.                   | ) | ORDER |
|                      | ) |       |
| HARRIS TEETER, INC., | ) |       |
| Defendant.           | ) |       |

This matter is before the court on the *pro se* Plaintiff's "Motion to the Court to Amend Order and Judgment, Motion for New Trial" pursuant to Rules 52(b) and 59 of the Federal Rules of Civil Procedure. In essence, the *pro se* Plaintiff asks this court to reconsider its November 7, 2007, Order [DE-11], adopting the Memorandum and Recommendation [DE-5] of United States Magistrate Judge David W. Daniel and dismissing the Complaint. The court has reviewed the November 7, 2007, Order, and finds it to be in accordance with the law. Therefore, Plaintiff's Motion [DE-13] is DENIED.

SO ORDERED.

This 13<sup>th</sup> day of December, 2007.

  
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JAMES C. FOX  
Senior United States District Judge